



Saint Paul Planning Commission

City Hall Conference Center Room 40

15 Kellogg Boulevard West

Steering Committee Meeting – 8:00 a.m., Room 41

Christopher B. Coleman,
Mayor

Agenda

May 21, 2010

8:30 – 11:00 a.m.

Saint Paul
Planning Commission

I. Approval of minutes of May 7, 2010

Chair
Kathi Donnelly-Cohen
First Vice Chair
Jon Commers
Second Vice Chair
Kristina Smitten
Secretary
Marilyn J. Porter

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

Brian Alton
Pat Connolly
Anthony Fernandez
Gene Gelgelu
Erick L. Goodlow
Bree Halverson
Richard Kramer
Paula Merrigan
Gaius Nelson
Tony Schertler
Robert Spaulding
Terri Thao
Daniel Ward II
Barbara A. Wencil
David Wickiser
Roxanne Young

#10-125-508 Enterprise – Conditional Use Permit for outdoor auto rental. 605 Como Avenue, SE corner at Front Street. (*Emily Goodman, 651/266-6551*)

#10-307-471 Enterprise - Variance of setback along parkway for new building and one row of parking (25 ft. required, 0 ft. proposed for building and 4 ft. proposed for parking). 597 Como Avenue, SE corner at Front. (*Emily Goodman, 651/266-6551*)

#10-308-035 Best Pawn – Conditional Use Permit for outdoor auto and commercial sales and revisions to 2008 conditional use permit regarding hours of operation and site plan. 525 7th Street East, NE corner at Kittson. (*Emily Goodman, 651/266*)

#10-307-305 Petro Plus Twin Cities – Conditional Use Permit for auto specialty store. 414 7th Street West, SE corner at McBoal. (*Emily Goodman, 651/266-6551*)

#10-310-741 Shinbay Yang/Staci Vang – Re-establishment of nonconforming use as a duplex. 1648 Bush Avenue between Kennard and German. (*Luis Pereira, 651/266-6591*)

#10-130-112 Clearwire – Conditional Use Permit for wireless communications antenna on a residential structure less than 60 feet high. 633 Robert Street South between King and Baker. (*Sarah Zorn, 651/266-6570*)

#10-128-635 Clearwire – Conditional Use Permit for wireless communications antenna on a residential structure less than 60 feet high. 50 Cretin Avenue South, SE corner at Grand. (*Sarah Zorn, 651/266-6570*)

Planning Director
Donna Drummond

V. Comprehensive Planning Committee

Geographic Information Systems (GIS) Official Zoning Map Study – Recommendation to release for public review and schedule a public hearing for July 2, 2010.
(Anton Jerve, 651/266-6567)

VI. Neighborhood Planning Committee

West Midway Study – Approve resolution initiating a study and forming the West Midway Study Task Force. (Penelope Simison, 651/266-654)

VII. Communications Committee

VIII. Task Force Reports

IX. Old Business

X. New Business

XI. Adjournment

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

Saint Paul Planning Commission
MASTER MEETING CALENDAR

WEEK OF MAY 17-21, 2010

Mon (17) _____

Tues (18) _____

4:00- Comprehensive Planning Committee
5:30 p.m. (Penelope Simison, 651/266-6554)

HAS BEEN CANCELED

**Central Corridor Station Area Planning for
Hamline, Western and Victoria**
Public Open House
(Christina Morrison, 651/266-6546)

**Central Corridor
Resource Center**
1080 University Avenue W.

2 - 4 p.m. Open House – view display boards and ask questions
4:30-6:30 p.m. Steering Committee meeting (open to the public)
7 – 8:30 p.m. Open House – view display boards and ask questions, hear a
presentation on the plans

6:00- The 20th Annual Saint Paul
8:30 p.m. Heritage Preservation Awards

Room 40 City Hall
Lower Level
Enter building on 4th Street
15 W. Kellogg Blvd.

RSVP: Judith Van Dyne at American Institute of Architects, Minnesota
by May 17th, phone (612) 338-6763.
Suggested \$5.00 donation at the door
(award recipients free)

Weds (19) _____

Thurs (20) _____

Fri (21) _____

8:00 a.m. Planning Commission Steering Committee
(Donna Drummond, 651/266-6556)

Room 41 City Hall
Conference Center
15 Kellogg Blvd.

8:30- Planning Commission Meeting
11:00 a.m. (Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

NEW BUSINESS

#10-125-508 Enterprise – Conditional Use Permit for outdoor auto rental. 605 Como Avenue, SE corner at Front Street. (*Emily Goodman, 651/266-6551*)

#10-307-471 Enterprise - Variance of setback along parkway for new building and one row of parking (25 ft. required, 0 ft. proposed for building and 4 ft. proposed for parking). 597 Como Avenue, SE corner at Front. (*Emily Goodman, 651/266-6551*)

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Comprehensive Planning

Committee..... Geographic Information Systems (GIS) Official Zoning Map Report - Recommendation to release for public review and schedule a public hearing for July 2, 2010. (*Anton Jerve, 651/266-6567*)

Neighborhood Planning

Committee..... West Midway Study - Approve resolution initiating a study and forming the West Midway Study Task Force. (*Penelope Simison, 651/266-654*)

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes May 7, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, May 7, 2010, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Donnelly-Cohen, Merrigan, Porter, Smitten, Thao, Wencl; and Messrs. Alton, Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Schertler, Spaulding, Ward, and Wickiser.

Commissioners Absent: Mmes. *Halverson, *Young, and Mr. *Goodlow
*Excused

Also Present: Donna Drummond, Planning Director; Peter Warner, City Attorney's Office, Tom Beach, Department of Safety and Inspections, Joan Trulsen, Lucy Thompson, Allan Torstenson, Patricia James, Penelope Simison, Luis Pereira, Josh Williams, Sarah Zorn, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes April 23, 2010.

MOTION: *Commissioner Nelson moved approval of the minutes of April 23, 2010. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Donnelly-Cohen announced that 29 applications for the Transportation Committee were received from community members. Chair Donnelly-Cohen and staff will be meeting with Councilmember Stark in the coming weeks to go over the applications and make a decision.

III. Planning Director's Announcements

Donna Drummond announced that the Phalen Keller Regional Park Master Plan open house has been rescheduled to Thursday, May 20, 2010 between 5 and 8 p.m., 1600 Phalen Drive at the Park Picnic Pavilion.

At City Council last Wednesday, the bicycle parking code amendments went through final adoption, the Bike Walk Central Corridor Action Plan was approved, and the parking code amendments public hearing was held. There were some comments, but it looks like it's on the way to final adoption.

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

One item will come before the Site Plan Review Committee on May 11, 2010. The West Side Flats, a 168 unit apartment building with retail and covered parking at 84 Wabasha Street.

NEW BUSINESS

#10-221-660 T-Mobile (1390 Larpenteur) – Conditional Use Permit for a wireless communications antenna on a 75 ft monopole. 1390 Larpenteur Avenue East between Clarence and Birmingham. (*Sarah Zorn, 651/266-6570*)

Commissioner Commers said that the basis for his opposition is that, in his opinion, there is insufficient information to make all the findings required for the conditional use permit.

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried 15-2 (Commers, Spaulding) on a voice vote.

#10-221-100 St. Paul Port Authority – Rezoning from B2 Community Business to I1 Industrial. 955 Seminary Avenue, 974 Hubbard Avenue and 991 Milton Street North, NE corner at Chatsworth. (*Luis Pereira, 651/266-6591*)

Commissioner Nelson asked if there was an issue with parking in a zoning district that's different from the parcel that is using that parking.

Patricia James, PED staff, explained that the zoning code does not permit parking in a lot that has a more restrictive zoning classification than the use, but it does permit a use to have parking in a less restrictive zoning district, and I1 is less restrictive than B2. If it were an I1 use that wanted to use the B2 parking that would not be permitted.

Upon a question by Commissioner Spaulding, Luis Pereira said that District 7 reported on a meeting a few days before the Zoning Committee meeting. Nine residents were in support and 6 were in opposition, so the District 7 Community Council recommended approval.

Upon a question by Commissioner Fernandez, Mr. Pereira said that the District 7 response noted three (3) items as cons. One was that there were issues that needed to be worked out with the parking easement; second, there were compatibility issues between the potential light industrial business and the rest of the retail shopping center; and third, the two groups needed to work out parking issues before a recommendation was made.

Commissioner Kramer added that at the Zoning Committee meeting there was testimony from the same party, a Mr. Keane, who is representing the remaining portion of the shopping center. He expressed concern on a couple of issues that the Zoning Committee did discuss. One of the issues was that a portion of the parcel being rezoned includes a vacated street. The Committee determined that, while the rezoning affected the parcel, it did not change the parking situation. Another concern was what uses would take place in the industrial district. The Port Authority has covenants on their properties that regulate the land uses and building appearance issues, so a

number of the light industrial uses that would normally be permitted in an I1 district are not allowed.

Commissioner Alton said that the adjacent property owner objected also and recently filed a lawsuit. But, the basis for the objection was to get all of these issues resolved before the rezoning is considered, and the committee did not see that as necessary. The question simply is, should the property be rezoned, and the Committee decided that was a reasonable request.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#10-222-535 Walgreens – Site plan review for a new Walgreens and two smaller commercial buildings. 2101 Ford Parkway. (Tom Beach, 651/266-9086)

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the site plan review. The motion carried unanimously on a voice vote.*

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, May 13, 2010.

V. Comprehensive Planning Committee

Commissioner Commers announced that the next meeting is on Tuesday, May 18, 2010.

VI. Neighborhood Planning Committee

District del Sol Zoning Study – Approve resolution recommending property rezonings to the Mayor and City Council. (Lucy Thompson, 651/266-6578)

Commissioner Wencil moved on behalf of the Neighborhood Planning Committee to recommend approval of the resolution and forward to the Mayor and City Council. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

Fitzgerald Park Precinct Plan Area Plan Summary – Recommendation to release the draft for public review and set a public hearing for June 18, 2010. (Lucy Thompson, 651/266-6578)

Lucy Thompson, PED staff, presented the proposed amendments to the Fitzgerald Park Precinct Plan Area Plan Summary, being forwarded by City staff, the Design Center and the Capitol River Council. The Fitzgerald Park Precinct Plan Area Plan Summary was first adopted in 2006. Cedar Street will carry LRT through the neighborhood, and a station will be located at 10th/Cedar. Rather than prepare a separate station area plan for the 10th/Cedar station, amendments are being proposed to the existing precinct plan to take full advantage of LRT in the neighborhood. Ms. Thompson explained the three key ideas represented in the proposed amendments: 1) the strengthening of 10th Street as both a “park street” and pedestrian/bicycle connection to the LRT station; 2) an urban room at the LRT station – a high quality public space capable of integrating the needs of a wide range of users, and acting as a gateway into both the precinct and downtown; 3) a “Mobility Enhancement Area” where streetscape enhancements, wayfinding and increased landscaping will facilitate the flow of pedestrians and cyclists to and from LRT, improve the appearance of this important gateway to downtown and elevate the experience of using transit.

Commissioner Spaulding commented that he is glad to see the attention to detail at this station. With the planned amenities, history and sense of place, Pedro Park and the Penfield project, this station area will become a truly active and vibrant node in the north part of downtown. He thanked everyone involved for the good work.

MOTION: *On behalf of the Neighborhood Planning Committee, Commissioner Wencl moved to release the draft for public review and set a public hearing on June 18, 2010. The motion carried unanimously on a voice vote.*

Carondelet Village Redevelopment Plan – Approve resolution finding the redevelopment plan consistent with the City's Comprehensive Plan. (Josh Williams, 651/266-6659)

Commissioner Nelson shows some photos of the west side of Fairview near the proposed Carondelet Village project and pointed out that from what he has seen on the site plans, there is adequate space between the row of trees along Fairview Avenue and the property line to put a standard city sidewalk without disturbing the trees. He does not consider the proposed site plan to be in compliance with the Comprehensive Plan without some inclusion within the plan of a new sidewalk.

Donna Drummond, Planning Director, clarified that what is before the Planning Commission is not approval of the site plan but consideration of whether the redevelopment plan is consistent with the City's Comprehensive Plan. In the draft resolution there is a reference to the Transportation Chapter of the Comprehensive Plan and the importance of having sidewalks in an interconnected sidewalk system to serve the neighborhood. This project has already through site plan approval. However, if the Commission wanted to make the point to the HRA/City Council as they consider whether or not to grant TIF financing for this project, something could be added to the resolution to this effect. However, there may be some complications because of property boundaries.

Joan Trulsen, PED project manager for this project, said that the nuns own the property on the corner of Randolph and Fairview and that St. Catherine University owns the property where the dorms are farther south on Fairview. Neither of them were ever asked nor required to put in a sidewalk by the City. The Department of Safety and Inspections did not require it for the Carondelet project, and if it were required it would only go in front of their property and it would end at the property line and there would be no sidewalk. The City can not make them put a sidewalk in front of someone else's property.

Commissioner Schertler says that there are two issues here; one is the authority to approve or deny the redevelopment project request and whether it conforms with the Comprehensive Plan. He said that they could request that a new whereas be added to the resolution that City Council/HRA request the developer put in a sidewalk using the TIF proceeds and then not assess the property owners. It is completely within the HRA's right to require it.

Ms. Drummond said that the Planning Commission is not approving the redevelopment plan. What the Commission is being asked to consider is approving a resolution finding the redevelopment plan, which was prepared by the Housing and Redevelopment Authority, consistent with the City's Comprehensive Plan. It would be appropriate if the commission wishes

to consider asking the HRA/City Council to consider this issue, but clearly not making it a condition. The Planning Commission does not have the authority to put any kind of condition(s) on this project.

Commissioner Alton disagreed completely with putting a condition on their approval to require them to put in a sidewalk. He said that the Commission has had no input from the developer, the owner or the neighborhood and we would basically be putting a condition on a site plan that was already approved. However, we are not looking at a site plan, what we are asked to do is decide whether or not the plan is consistent with the Comprehensive Plan.

Commissioner Porter said on page two it states that staff consulted with the City Attorney's Office. She would like to have clarification about that.

Josh Williams, PED staff, said the question that was asked to the City Attorney's Office was whether or not it would be appropriate to request a sidewalk in front of both the Carondelet property as well as St. Catherine's, which would go all the way down to where the single family homes along Fairview begin and the answer was no.

Commissioner Wickiser said that at the Neighborhood Planning Committee meeting there was a lot of discussion with regards to this and the issue here is whether this is consistent with the Comprehensive Plan or not. He thinks it is not, because there isn't a sidewalk in front of the property and it would be ridiculous to require 75 feet of sidewalk along Fairview without the additional sidewalk going all the way down to the homes. So it is still not consistent with the Comprehensive Plan.

Commissioner Spaulding said the question is whether there could have been some specificity that all streets, or all arterial streets would be completed with sidewalks in this redevelopment plan. That would be general but is not specifically outlined in the present redevelopment plan. In that regard could we not find it out of compliance with the Comprehensive Plan at the present?

There was more discussion regarding putting in a sidewalk on Fairview in front of the Carondelet property and if this redevelopment plan is consistent with the Comprehensive Plan.

MOTION: *On behalf of the Neighborhood Planning Committee, Commissioner Wencl moved to approve the resolution finding that the redevelopment plan is consistent with the City of Saint Paul's Comprehensive Plan.*

AMENDMENT TO MOTION: *Commissioner Schertler moved to amend the resolution to include the statement, projects in the Redevelopment Area or on nearby properties with frontage on Fairview Avenue between Randolph Avenue and Highland Parkway should provide for construction of public sidewalks, constructed to City standards, as is consistent with the Transportation chapter of the Comprehensive Plan. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

MOTION: *Commissioner Wencl moved to approve the amended resolution and the Chair will send a letter on behalf of the Planning Commission to the City Council and Housing Redevelopment Authority. The motion carried unanimously on a voice vote.*

Commissioner Wencl announced the items on the agenda for the next Neighborhood Committee

meeting on Wednesday, May 12, 2010.

VII. Planning and Zoning Legal Issues – Presentation by Assistant City Attorney Peter Warner.

Peter Warner, Assistant City Attorney, distributed a handout – “An Introduction to the Legal Environment that Guides and Limits Planning and Zoning Decisions of the Planning Commission.” Mr. Warner talked about what a planning commission is. Planning commissions are board of citizen volunteers who get together and make difficult decisions about land use and the future of the city and how it is going to look. Every municipality has a planning commission of some sort. Planning commissions exist because of Minnesota law that authorizes the creation of planning commissions and Saint Paul has done that. The Planning Commission was created in the City’s administrative code. Saint Paul has two types of codes, a legislative code and administrative code. The legislative code is the regulatory code that sets the rules that say you have to keep your dog on a leash and you can’t park in front of a fire hydrant and it is also where you find the zoning code. The administrative code is the body of law that governs how the City actually functions. The Saint Paul Planning Commission is created under Admin. Code § Chap.107. Pursuant to Admin. Code § 107.02(a), the powers and duties of the planning commission regarding planning and zoning are specifically spelled out. The commission shall serve as an advisory body to the mayor and city council on municipal planning matters as required by the Municipal Planning and Development Act, Minnesota Statutes, Section 462.351 and the Metropolitan Land Planning Act, Minnesota Statutes, Section 473.858.

Another thing that is important to understand is that planning and zoning are two different things. Planning is a visionary thing and zoning is a regulatory thing. It is important to understand the difference because when dealing with zoning and planning you are dealing with people’s property rights. There are constitutional issues that have to be taken into consideration when making decisions. So zoning or planning authority is not unlimited but is regulated and defined by the state statutes. Together, the Municipal Planning Act (MPA) and the Metropolitan Land Planning Act (MLPA) exclusively define the structure, procedural authority and processes for comprehensive land use regulation and planning in Minnesota. This means that every zoning and planning decision made is subject to the legal limitations and requirements imposed under the MPA and the MLPA. Compliance with the MPA and MLPA means that each planning and zoning decision made must be factually informed and based on legal principles. Informed means that there is a factual basis for the decision. A principled one is based upon an analysis and application of the facts to a defined set of standards, goals, and procedures. The law classifies zoning and planning decisions into two different categories. 1) Legislative decisions - these are decisions to enact or amend an existing zoning ordinance or comprehensive plan component. The courts characterize legislative decisions as creating policies as opposed to the application of specific facts to an already existing standard expressed in the form of an existing ordinance or plan. 2) Quasi-judicial decisions are decisions that usually involve permit applications. The courts characterize these as quasi-judicial because there is an existing ordinance or plan setting forth a standard and the role of the decision maker is to apply the existing standard to the particular facts, the proposed use.

How do courts review zoning and planning decisions? The judicial standard of review for all planning and zoning decisions is the same - whether the decision was reasonable. Although the judicial standard of review of zoning decisions may be the same, the judicial scope of the review varies depending on the underlying nature of the decision. In contrast, quasi-judicial decisions are much more closely scrutinized by the courts. The courts will examine the applicable

ordinance to determine whether the facts demonstrate that the applicant had satisfied the criteria specified under the ordinance. If the ordinance criteria were satisfied, but the municipality denied the application, the denial will be deemed arbitrary and capricious and, as such, the permit should have been granted.

In order to avoid making a decision that is arbitrary and capricious the planning commissioners need to understand the nature of the matter being decided, they have to read the staff report and not make up their minds until given the complete picture. That means, depending on whether serving on the zoning committee or considering the application at the full planning commission meeting, what's needed is to understand the position of the applicant as well as the position of someone who might oppose an application. An informed decision cannot be made until both sides have had an opportunity to be heard.

Economic theory may have a place in planning decisions but it has little if any place in zoning decisions. If an applicant desires to build a bowling alley on a block with five other bowling alleys, and bowling alleys are permitted in that zoning district and the applicant satisfies the criteria for building a bowling alley, the applicant gets to build a bowling alley. There are also state and federal laws that preempt municipalities from making certain kinds of zoning decisions. These include the Federal Fair Housing Act, the Interstate Commerce Commission Termination Act, and the Cellular Communications Act.

Commissioner Smitten asked two questions, one relates to the findings of hardship and the other is that sometimes the comprehensive plan and zoning conflict and in those situations how is that navigated?

Mr. Warner said he would answer the second question first about the conflict between the comprehensive plan and the zoning ordinance. He said looking at the Metropolitan Land Planning Act there is a provision that says if your comprehensive plan and zoning ordinance conflict with one another municipality has to remedy its zoning regulation to come into conformance with the comprehensive plan. To Mr. Warner, being a lawyer, every question raised is always facts specific so he would look at it and make a determination legally whether or not there is a factual conflict. Then he would go to staff and say here is what I think about the legal aspects and what do you think about the planning aspect of it. Then we will come up with some sort of analysis of whether or not there is a conflict and if there is then we are legally bound to make that correction within nine (9) months. With respect to what is economic hardship that is always an interesting question, and generally it comes into play, usually with variances and sometimes with conversions of housing stock from a single family use to a duplex use. Economic hardship is a difficult thing to define and to Mr. Warner it is fact specific, because it depends on the application. Zoning involves people's property rights, so they have to be looked at on a case by case basis. Each and every application is different.

VIII. Communications Committee

Commissioner Smitten had no report.

IX. Task Force Reports

Donna Drummond, Planning Director, announced that on Tuesday, May 18th there will be an

open house for the Hamline, Western and Victoria Station Area plans. The open house will held at the Central Corridor Resource Center, 1080 University Avenue and a flyer will be sent out next week with all the information.

X. Old Business

XI. New Business

XII. Adjournment

Meeting adjourned at 10:13 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Marilyn Porter
Secretary of the Planning Commission



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101

Telephone: 651-266-9090
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY May 25, 2010
2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Shamrock Parking Lot at 670 Juno New remote parking lot with 11 parking spaces
10:00	Student Center for Hamline University at NE corner of Snelling and Englewood New Student Center and underground parking (Preliminary review)
11:00	Planned Parenthood of Minnesota and North Dakota at 675 Vandalia Clinic, offices and parking ramp

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff.

The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson.

To see a map of additional nearby parking ramps go to
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: May 14, 2010
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of May 13, 2010 Zoning Committee Hearing

NEW BUSINESS

- | | | <u>Staff</u> | <u>Recommendation</u>
<u>Committee</u> |
|----|--|----------------------------|---|
| 1. | Enterprise (10-125-508)
Conditional Use Permit for outdoor auto rental

Address: 605 Como Ave
SE corner at Front St

District Comment: District 6 recommended approval

Support: 0 people spoke, 1 letter

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval with condition | Approval with
condition | Approval with
condition
(5 - 0) |
| 2. | Enterprise (10-307-471)
Variance of setback along parkway for new building and one row of
parking (25 ft. required, 0 ft. proposed for building and 4 ft. proposed
for parking)

Address: 597 Como Ave
SE corner at Front

District Comment: District 6 recommended approval

Support: 0 people spoke, 1 letter

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Hearing: Hearing is closed

Motion: Approval with condition | Approval with
condition | Approval with
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(5 - 0) |

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
3.	Best Pawn - 525 E 7th (10-308-035) Conditional use permit for outdoor auto and commercial sales and revisions to 2008 conditional use permit regarding site plan Address: 525 7th St E NE corner at Kittson District Comment: District 4 recommended approval Support: 0 people spoke, 1 letter Opposition: 0 people spoke, 0 letters Hearing: Hearing is closed Motion: Approval with conditions	Approval with conditions	Approval with conditions (5 - 0)
		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
4.	Petro Plus Twin Cities (10-307-305) Conditional Use Permit for auto specialty store Address: 414 7th St W SE corner at McBoal District Comment: District 9 recommended denial Support: 1 person spoke, 0 letters Opposition: 9 people spoke, 12 letters Hearing: Hearing is closed Motion: Denial	Approval with conditions	Denial (4 - 1) (Alton)
		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
5.	Shinbay Yang / Staci Vang (10-310-741) Re-establishment of nonconforming use as a duplex Address: 1648 Bush Ave between Kennard and Germain District Comment: District 2 recommended denial Support: 0 people spoke, 0 letters Opposition: 1 person spoke, 0 letters Hearing: Hearing is closed Motion: Denial	Denial	Denial (4 - 0)

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, May 13, 2010 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF APRIL 29, 2010 ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 10-125-508 Enterprise**
Conditional Use Permit for outdoor auto rental
605 Como Ave, SE corner at Front St
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Emily Goodman 651-266-6551

- 5 10-310-741 Shinbay Yang / Staci Vang**
Re-establishment of nonconforming use as a duplex
1648 Bush Ave, between Kennard and German
R4
Luis Pereira 651-266-6591

- 6 **10-130-112 Clearwire (633 Robert)**
Conditional Use permit for wireless communications antenna on a residential structure
less than 60 feet high
633 Robert St S Unit 101, between King and Baker
RM2
Sarah Zorn 651-266-6570
- 7 **10-128-635 Clearwire**
Conditional Use permit for wireless communications antenna on a residential structure
less than 60 ft high
50 Cretin Ave S, SE corner at Grand
RM2
Sarah Zorn 651-266-6570

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Allan Torstenson at 266-6579 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6712
Facsimile: 651-228-3341*

To: Planning Commission
From: Comprehensive Planning Committee
Date: May 14, 2010
Subject: Geographic Information Systems (GIS) Official Zoning Map Report

Purpose

The official zoning map is proposed to transition from a set of 44 mylar and paper panels to an electronic, GIS-based file. The digital maps will provide several advantages, including:

- Maps will be easier to update and the format will eliminate updating errors due to panel overlap
- Maps will be available in color and black and white
- Maps will have the ability to be customized and searchable
- GIS files provide increased analysis capabilities
- Electronic maps will provide the ability to link to Ramsey County and City website interactive maps

Background

The official zoning map has been maintained as a paper copy on separate panels continually updated by hand. This has led to several issues, such as:

- Errors on the map due to the same zoning districts appearing on multiple panels and only one panel being updated
- Lack of precision with hand drawn updates
- Measurements and annotation notes that no longer refer to a zoning district
- Black and white maps can be difficult to read
- Difficult to use for properties along panel "seams"
- Not customizable
- Difficult to update online copies of panels

A digitized map will provide additional clarity, customization options, analysis capabilities, and ease of use

Digitizing Process

The zoning map was first digitized by a private company several years ago, but it had many errors and was done in a way that made it unstable and difficult to update. Due to these discrepancies and formatting deficiencies, a new digitized map has been created in GIS by PED staff and to be as accurate, stable, and easily updated. Zoning lines were aligned with parcel lines, lot lines, and/or section lines where applicable. This allows staff to remove dozens of

annotated measurements that have been maintained on the paper map to indicate the distances. The new zoning GIS layer allows for spatial analysis with other GIS data.

Throughout the digitizing process, several general guidelines were followed:

- Zoning district lines were aligned with street center lines, parcel lines, lot lines, and section lines.
- Split zoned parcels were avoided as much as possible.
- Railroad parcels that were split zoned down the railroad centerline, and were sometimes unclear in the previous map, have been reclassified following the parcel lines and the parcels were generally given the least restrictive of the two zoning districts.
- Parcels with zoning discrepancies on different map panels were researched in the zoning history files to determine the correct zoning district.
- Annotated measurements were removed from maps where the zoning border is along a lot line, parcel line, or section line.

Mapping Errors and Revisions

Several mapping errors, listed in detail below, were discovered in the process of digitizing the zoning maps. These were errors in the official maps that need to be corrected in the digital map. Staff reviewed the zoning history, parcel ownership, and planning reports to determine the correct zoning district to be reflected in the new maps. The proposed corrections are listed in the following table.

Mapping Errors

Address	New Map Panel	PIN	Former Zone	New Zone	Reference Notes
1665 White Bear Ave N	6	222922110154	B3/R3	B3	Zoning Case 02-175-609
600 Snelling Ave	8	342923230138	RM2	B3	Zoning file 5424
25 Dale	15	022823140183	RM2 & TN1	TN1	Different district on 2 panels; Zoning Case 05-050-150
476 Sherburne	9	362923240213	B1/R4	R4	Zoning File 8085
St Anthony / Hamline	14	342923310027 342923310018 342923310025 342923310020	I1/B2	B2	Subdivision Staff Report 07-076-549
94 & Payne/Mounds Blvd	16	322922310050	I1/R1	R1	Corrects PINs missed in Trout Brook – Lower Phalen Creek Greenway zoning ordinance
1220 Sylvan	4	192922340034	RM2/I1	RM2	Zoning Files 5195, 5251
425 W. 7th	15	012823410141	RT2	B2	Zoning File 9222

As part of the review process, several parcels are recommended for changed zoning because they are isolated zoning districts within a parcel and are not attached to any current land use.

Mapping Revisions

Address	New Map Panel	PIN	Former Zone	New Zone	Reference Notes
799 Snelling Ave	8	162823110085	B2	RT1	Former site of separate commercial building, now school property
1585 Maryland Ave	6	222922430048	B1	R3	Property always owned by Water Commission "Hazel Park Pumping Station"
1536 Hewitt Ave	8	272923320067	B1	RT1	Hamline University campus. Officials agreed to have zoning reflect surrounding RT1
1885 & 1871 Wilson	18	352922320064 352922320065	R3/RM1	RM1	Corrects split-zoned setback. Zoning Files 6734, 6990
412 Dunlap	14	342923410068	RM2	B3	Combined lot with expanded business. Corrects split zone.

In addition to the revisions above, staff also revised zoning districts across railroad parcels. Formerly, railroads were often treated like right-of-way and split-zoned along the centerline of the rail line. However, rail lines occur in parcels, not right-of-way, so this practice has created many split-zoned parcels. In the digital zoning map, staff is proposing to correct this by choosing to apply the least restrictive zoning category across the railroad parcel.

Text Revisions

Several minor text edits, below, support the adoption of the new zoning map. These changes reflect the change from moving zoning districts from railroad centerlines to railroad parcel lines. Additionally, language is added to acknowledge that zoning districts follow section lines. In the current official map this was indicated by including annotated measurements on the map, but with the GIS map section lines can be shown with the zoning districts, thus eliminating the need for annotations.

Sec. 60.303. Official zoning maps.

The city is divided into various zoning districts shown on the maps accompanying this code, which maps ~~are~~ is entitled "Zoning Map of Saint Paul." Such maps and any amendments, with all explanatory matter thereupon, are hereby made a part of this code and shall be as much a part of this code as if the matter and information set forth thereon were all fully described herein.

Sec. 60.304. District boundaries interpreted.

Where uncertainty exists with respect to the boundaries of any of the districts established in this code as shown on the zoning map, the following rules shall be applied:

- (a) Where district boundaries are indicated as approximately following the centerline of streets or highways, street lines, or highway right-of-way lines ~~or railroad right-of-way lines~~, such centerlines, street lines or right-of-way lines shall be construed to be said boundaries.

(b) Where district boundaries are indicated as approximately following lot lines or section lines, such lot lines or section lines shall be construed to be said boundaries.

(c) Where district boundaries are indicated as approximately parallel to the centerlines of streets or the centerlines of right-of-way lines of highways ~~or~~ ~~railroads~~, such district boundaries shall be construed as being parallel thereto and at such distances therefrom as indicated on the zoning map. If no such distance is given, such dimensions shall be determined by the use of the scale shown on said zoning map.

Recommendation

The Comprehensive Planning Committee recommends release of the study for public review and scheduling a public hearing on the map amendments at the July 2, 2010, Planning Commission meeting.

Note: Color panels of the proposed map are available on the City website at <http://www.stpaul.gov/index.aspx?NID=3441>.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
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Telephone: 651-266-6700
Facsimile: 651-228-3220

Date: May 13, 2010
To: Planning Commission
From: Neighborhood Planning Committee
Subject: West Midway study

Background

Policy 2.16 in the Land Use chapter of the *Saint Paul Comprehensive Plan* calls for a study of the West Midway area:

Prepare a study of the West Midway industrial area outside the line of change as identified in the Central Corridor Development Strategy to determine how the industrial area may be best used to strengthen Saint Paul's industrial sector and employment base.

The West Midway, one of Saint Paul's historic railroad corridors, is strategically located, with much of its current business activity closely tied to the railroad lines that run through it. Many existing businesses, though successful, do not employ large numbers of people. The study, in part, will focus on how the West Midway can evolve to capture "knowledge-based" business activity and to take advantage of the potential for a jobs/housing match because of its proximity to the Central Corridor.

Preparation of the West Midway Study and issues to be studied

As the policy notes, the West Midway has always been uniquely positioned to take advantage of transportation modes, first rail lines, then major highways and streets and, soon, light rail.

Access to transportation, coupled with significant swaths of land, have made the West Midway historically important as an employment center. Its importance as an employment center is expected to intensify once Central Corridor light rail transit is constructed and operating.

Moreover, its geographic size and its strategic location mean that what transpires in the West Midway in the coming decades will have citywide implications for Saint Paul's economy and its employment base.